

December 1, 2023

Hon. Mary S. McElroy  
United States District Judge  
Federal Building and Courthouse  
One Exchange Terrace  
Providence, RI 02903

Re: 1:22-cv-00090-MSM-PAS - Thiccc Boy v. Swindelles

Dear Judge McElroy:

This letter is in response to Plaintiff Thiccc Boy Productions Inc.'s November 30, 2023, letter requesting referral of this case to mediation. I respectfully oppose a referral to mediation. This case has dragged on for nearly two years, and this request would mainly serve to cause further delays. Both parties currently have motions for summary judgment pending, so if the Court does see this case as appropriate for mediation, an assignment to the ADR program after ruling on the motions would make the most sense.

Plaintiff previously sought sanctions against me for missing a meeting as I tended to the health of my daughter. Their current letter emphasizes the disciplinary aspects of failing to cooperate with mediation, so I think we all see where this is headed: we go to mediation, I say "no" to their inadequate offers, then they ask the Court to sanction me for not participating to their liking. I do not want to waste the Court's resources with litigation games.

I do not oppose Plaintiff receiving a reasonable extension of time for responding to my latest motion. I do not, however, support an indefinite suspension of the deadline for a response, which Plaintiff appears to be seeking. Plaintiff's counsel have my working e-mail address if they want to discuss a resolution of this case.

Respectfully submitted,

A handwritten signature in black ink that reads "Kyle Swindelles". The signature is written in a cursive, slightly slanted style. Below the signature is a thick, solid black horizontal line.

Kyle Swindelles, Defendant, *pro se*  
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